

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Laurence Lundblade

Application No.: 10/697,397

Filed: October 29, 2003

For: METHODS AND APPARATUS
FOR PROVIDING APPLICATION
CREDENTIALS

Attorney Docket No.: 030457

Confirmation No.: 7478

Examiner: DINH, MINH

Group Art Unit: 2432

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT UNDER
37 C.F.R. § 1.705(b)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Applicant hereby submits this Request for Reconsideration of Patent Term Adjustment under 37 C.F.R. 1.705(b) to correct the Office's Patent Term Adjustment (PTA) calculation for Application 10/697,397 that received a Notice of Allowance on May 13, 2011. This request is timely filed prior to or concurrent with the filing of the issue fee.

On May 13, 2011, a Notice of Allowance was mailed for the instant application with a patent term adjustment (PTA) of five hundred and eighty-five (585) days. The Office determined this PTA of 585 days based upon 735 days of Office delay days pursuant to 37 C.F.R. 1.703(a) reduced by 150 days of Applicant delay pursuant to 37 C.F.R. 1.704. The adjustment of 585 days pursuant to 37 C.F.R. 1.703(a) is at issue.

The Applicant's review of the file reveals that a Request for Continued Examination (RCE) was filed on 9/15/2009 and a Notice of Allowance in response to this RCE was mailed on

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10/9/2009. The Notice of Allowance was then withdrawn and a Non-Final Rejection was mailed on 5/14/2010. The Non-Final Rejection states that it is responsive to the communication on 9/15/2009. A delay pursuant to 37 C.F.R. 1.703(a)(3) exists because this Non-Final Rejection was mailed more than four months after the RCE was filed on 9/15/2009. The delay should have been calculated from 1/16/2010 (the date that is a day after the 4-month period following the filing date of the RCE) to 5/14/2010 (the mailing date of the Non-Final Rejection). This delay is 119 days (not 0 days).

The Applicant respectfully submits that in view thereof, the correct number of days of patent term adjustment is seven hundred and four (704) days $[(735 + 119 = 854) \text{ days of Office delay reduced by } 150 \text{ days of Applicant delay}]$.

This application is not subject to a Terminal Disclaimer.

Please charge any fees that may be due or credit any overpayments to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: August 4, 2011

By: /Fariba Yadegar-Bandari/

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